Application No.: B19/23 & A7/23
Meeting Date: September 20, 2023
Ward No.: 7

Property Owner: Camrich Holdings Ltd.

Applicant: Camrich Holdings Ltd.

Subject Property: PLAN 58M241 PT BLK 38
311 Dundas St S

Proposal:
Seeking to sever a commercial property to separate the existing commercial plaza from a proposed six-storey mixed use building.

The severed parcel will have an approximate lot area of 7,185 m² and is currently vacant. A six-storey mixed-use building is proposed on the new lot with 2,152 m² of gross leasable commercial floor area on the ground floor and apartment units above.

The retained parcel is proposed to have an approximate lot area of 18,390 m² (1.84 ha). The existing four commercial buildings, being a bank and three restaurants, will remain on the retained lot.

Further, as no new driveway is proposed, an easement is required in favour of the Retained Lands over the access roadway within the Severed Lands from Maple Bush Drive to permit continued access to the larger plaza from Maple Bush Drive.

As a result of the proposed severance, relief from zoning by-law 150-85 will be required to permit:

1. A maximum lot coverage of 36%, whereas Section 3.3.3.3 (j) permits a maximum of 30%.
2. required off-street parking facilities to be located on an adjacent lot and in the same zone as the use, building or structure for which such parking is
required, whereas Section 2.2.2.3(a) requires off-street parking facilities to be located on the same lot in the same zone as the use, building or structure for which such parking is required.

The variances will facilitate assist in achieving the required parking spaces for the proposed mixed-use building.

**General Information:**

Zoning By-law Provisions: CS5C5  
Official Plan Designation: Low / Medium Density Residential  
Adjacent Zoning: RM4, OS1  
Adjacent Land Use: Commercial, Residential  
Existing Use: Commercial  
Proposed Use: Commercial, Residential

**Staff Comments**

**City of Cambridge Development Planning Section:**
The subject property comprises a total of 2.56 hectares and is located at the intersection of Franklin Boulevard and Dundas Street South. The lands also have frontage on Maple Bush Drive and Chester Drive. The site is developed with four commercial buildings; a bank and three restaurants. Two of the restaurants and the bank contain drive-thru operations. Access to the site is provided from three existing driveways, two from Franklin Boulevard and one from Maple Bush Drive. The ‘rear’ portion of the site, adjacent to Chester Drive is proposed to be severed to allow the six storey mixed use building previously approved by the Committee of Adjustment at the December 2021 hearing to be owned and operated independently of the plaza. The applicant has initiated Site Plan Application SP52/22 for the building proposed on the conveyed lands.

City of Cambridge planning staff have considered the factors from Section 51(24) of the Planning act and are satisfied in principal that no plan of subdivision is required for the severance of a mixed use building at the “rear” of the subject lands.

The City of Cambridge Official plan provides for a maximum of 40 units per hectare in the Low / Medium Density Residential designation. While no specific number of units is identified in the application, the proposed 0.72 ha lot area would permit only 28 units on the conveyed lands, or approximately 6 per storey. The subject lands are within the draft Main and Dundas Street South Secondary Plan area, which proposes to re-designate the lands for mixed-use medium
density use with a minimum density of 60 units per hectare. As such, planning staff find that the proposal may not conform to the Official Plan, and that further clarification as to the proposed density is required should the applicant wish to proceed prior to implementation of a secondary plan.

This application was scheduled for an appearance at this hearing on the expectation that the Main and Dundas Street South Secondary Plan would be brought forward to City Council prior to this hearing date. This has not occurred, and Staff now anticipate that it will be addressed by Council in October. Staff therefore recommend further deferral of the application.

**Regional Municipality of Waterloo:**
The applicant is seeking to sever a commercial property to separate the existing commercial plaza from a proposed six-storey mixed use building. The severed parcel will have an approximate lot area of 7,185m2 and is currently vacant. A six-storey mixed use building is proposed on the new lot with 2,152 sqof gross leasable commercial floor area on the ground floor apartment units above.

**Environmental (Road and Stationary)**
Regional staff understand that the consent is proposed to facilitate a mixed-use residential commercial building. Due to the proposed use of the severed lands and the existing uses on the retained lands as well as noise from traffic along Dundas Street South, Regional staff require the owner/developer to prepare a detailed Transportation and Stationary noise study at the detailed design stage to indicate to the Regional Municipality of Waterloo methods to be used to abate traffic and stationary noise levels for the subject lands as a condition of approval.

**Part 4 Area of the Clean Water Act/Section 59 Notice:**
The Section 59 notice submitted with the application is not valid as it references a site plan rather than the consent applications. A valid section 59 notice shall be required as a condition of draft plan approval for this consent.

**Regional Fee:**
The Region acknowledges receipt of the review fee of $350.00.

**Regional staff has no objection to the application, subject to the following conditions for each application:**

1) That prior to final approval, the Owner/Applicant enter into a registered development agreement to prepare a detailed Transportation and Stationary noise
Application No.:  B19/23
Date of Meeting:  September 20, 2023
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study to indicate to the Regional Municipality of Waterloo methods to be used to abate traffic and stationary noise levels for the proposed development and if necessary, shall enter into a registered development agreement with the Regional Municipality of Waterloo to provide for implementation of the accepted noise study attenuation measures.

2) That prior to final approval, the owner/applicant submit a valid Section 59 notice.

Grand River Conservation Authority
No comment.

GrandBridge Energy:
No comments received.

City of Cambridge Building Section:
A building permit is required for the proposed construction.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
• Development Engineering has reviewed the proposed servicing for the severed parcel through the SP52/22 site plan application.

• Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost) as outlined in the Site Plan Approval.

• Redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost).

• An access easement has been noted on the application for the shared parking lot and driveway accesses.

• This easement should also allow for drainage as the asphalt on the severed parcel drains to the larger parking lot and private storm system on the retained lot.

City of Cambridge Fire Department:
• All comments from the Cambridge Fire Department to be included in a Site Plan application to the City.

• No objections or comments required at this time for the COA permit.
City of Cambridge Economic Development:
No comments received.

City of Cambridge Environmental Planner:
A Record of Site Condition (RSC) acknowledged by the Ministry of the Environment, Conservation and Parks is required at the time of a building permit application for the proposed sensitive residential use.

Aerial & Zoning Map

Subject Property:
CS5C5 zoning with S.4.1.30.1 reference

Site Sketch
Proposed six-storey mixed use building on the severed parcel
Site Visit
Application No.: B27/23  Meeting Date: July 05, 2023  Ward No.: 7

Property Owner:  Ahmed Natasha

Applicant:  Ahmed Natasha

Subject Property:  CON 9 PT LOT 1 RP67R3582;PART 1 178 Ripplewood Rd

Proposal:
Seeking consent to sever the residential lot for the creation of a new lot, including any needed easement, being:

Conveyed
Area: 1565 sq m
Frontage: 32.3 m

Retained
Area: 1397.26 sq m
Frontage: 28.65

As a result of the proposed severance, relief from the zoning by-law will be required to permit on the conveyed lot:

1. to permit the lot to front onto an un-opened road right of way whereas the by-law requires lots to front onto opened public street or highway (S 2.1.13)

The consent application was previously heard on July 5th, 2023 where it was deferred to permit the addition of a minor variance application, the deficiency having been discovered through application review.

General Information:
Zoning By-law Provisions: (H)R4
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: OS1, R6, (H)R4
Application No.: B27/23
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Page 2 of 11
Adjacent Land Use: Residential, Open Space
Existing Use: Residential
Proposed Use: Residential

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are located on Ripplewood Road, east of Attwater Drive, entirely within the City of Cambridge. The applicant is seeking consent for the creation of an additional residential lot. The lands are zoned (H)R4 with the holding designation seeking primarily. The subject lands' zoning includes a holding provision primarily intended to ensure municipal services are provided to any urban development in Southeast Galt. The property is adjacent to a residential subdivision which has resulted in the availability of municipal services on Attwater Drive.

Planning Staff have reviewed the factors in Section 51(24) of the Planning Act and are satisfied that the proposed lot pattern constitutes an appropriate, efficient and desirable use of urban residential land. Both City and Regional policy will require full municipal servicing of the proposed lots and the removal of a holding designation will be needed prior to construction of a new home on the conveyed lands. Staff are confident that the proposed lot pattern will be appropriate to the urban boundary, facilitating both a stepdown in density from the adjacent subdivision and an efficient use of the newly installed municipal services on Ripplewood Road and Attwater Drive.

During review of the application during it’s initial appearance it was determined that the frontage of for the proposed conveyed parcel would fall beyond the portion of the Ripplewood Road right of way deemed to constitute an opened public street. As such a variance permitting the lot to be developed without a street frontage is required. While creation of a “landlocked” parcel is not generally seen as appropriate, the location of the subject parcel on an unopened public right of way with no concrete plans for eventual opening is relatively unique. Planning staff have no reason to believe that the intent of the Zoning By-law would be in any way defeated by the use of a short portion of a city right of way to provide access to the site.

City of Cambridge Planning Staff recommend approval of the consent application subject to the following conditions:

1. That a draft reference plan showing the conveyed and retained lands be prepared by a qualified surveyor and submitted to the City for approval prior to being deposited at the Land Registry Office. The reference plan shall be deposited at a Land Registry Office and a copy shall be provided to the City.
2. That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area (or window area for single family dwellings) permitted to face the new property line.

3. That the owner decommissions the private septic on the property and extend municipal services to the retained and severed parcels;

4. That the applicant verifies the location of any existing sanitary, storm and water services on the property to the satisfaction of the Building Division in order to confirm that no services will cross over any proposed property lines or are shared with any adjacent properties. Where services cross property lines easements and/or servicing agreements shall be registered on title.

5. That servicing plans prepared by a Professional Engineer and detailing the municipal servicing extensions on Ripplewood Road are be submitted to the satisfaction of City of Cambridge Development Engineering,

6. That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales.

7. That prior to final approval, the City of Cambridge provide confirmation that full municipal services (sanitary and water) have been constructed in the Ripplewood Road and Attwater Drive and can be connected to the proposed severed and retained parcels, to the satisfaction of the Region.

8. That prior to final approval, a licensed Archaeologist prepares an Archaeological Assessment on the lands to be severed and a copy of the Ministry of Heritage, Sport, Tourism and Culture Industries Acknowledgement letter(s) and the Assessment Report must be provided to Regional Staff and implementation measures shall be secured, all to the satisfaction of the Region’s Planning, Development and Legislative Services Department;

9. That the holding (H) symbol applied to the lands by the City of Cambridge Zoning By-law be lifted prior to final approval.

10. That prior to final approval, the owner/applicant pay cash-in-lieu of parkland at 5% of the value of the severed land. The applicant shall
Application No.: B27/23
Date of Meeting: July 05, 2023
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provide an opinion of value from a qualified appraiser dated September 19th, 2023, to the satisfaction of Realty Services; and

11. That the above conditions must be fulfilled, and the draft Certificate of Official be presented with the required fee for signing on or before September 20th, 2025, after which time this consent will lapse.

City of Cambridge Planning Staff further recommend approval of the minor variance application subject to the following conditions:

1. That an access easement or agreement be obtained for the use of the unopened right-of-way of Ripplewood Road. The agreement must allow for the construction and maintenance of the driveway, and limited vehicular travel for the owners of the property as well as any utilities to be located in the right of way. The construction of the driveway, maintenance and cost of the agreement would be at the expense of the property owner;

2. That an Access Permit through Transportation Engineering be obtained prior to the removal of, alteration to or construction of any new accesses. The application for an access permit can be found on the City’s website at www.cambridge.ca.

3. That the minor variance applies to the conveyed lands described in provisional consent B27/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance all also lapse.

Regional Municipality of Waterloo:
The applicant has proposed to sever the residential lot for the creation of a new lot. The conveyed parcel shall have an area of approximately 1565sq.mt with a 32.2m frontage. A new single-family residential dwelling is proposed on the conveyed lot.

Planning Comments
The subject lands are directly adjacent to a residential subdivision where both municipal water and municipal sanitary services are to be installed. Through this application, the applicant has proposed both municipal services and private services; however, the applicant has not demonstrated that they will connect to the proposed municipal services to be installed in the Ripplewood Road and Attwater Drive right of way. Regional staff require the City of Cambridge to confirm that the proposed severed and retained lots will be connected to municipal services within the Ripplewood Road and Attwater Drive right-of-way as a condition of draft plan approval.
Cultural Heritage:
A portion of property was previously assessed and cleared, however remainder of property has yet to be assessed. The Region shall require an Archaeological Assessment on the as a condition of consent as the existing dwelling on the lands is a pre-1900 residential historic home along a historic road that is in close proximity to hydrology.

As per Regional Official Plan policy 3.G.9, the applicant is required to have a licensed Archaeologist complete an Archeological Assessment of the proposed parcel. The applicant must submit the Archaeological Assessment report(s) to the Ministry of Tourism, Culture and Sport and once reviewed and accepted, provide a copy of the Ministry’s Acknowledgement letter(s) and the Assessment report(s) to the satisfaction of the Region of Waterloo’s Planning, Development and Legislative Services Department. The completed Archaeological Assessment(s) and Ministry Acknowledgement(s) will be required a condition of approval. Please note that the completed archaeological assessment may result in recommendations that may need to be secured through a development agreement with Cambridge, or other mechanisms acceptable to the Region.

Regional Fee:
The Region acknowledges receipt of the review fee of $350.00.

Regional staff has no objection to the application, subject to the following conditions for each application:
1. That prior to final approval, the City of Cambridge provide confirmation that full municipal services (sanitary and water) have been constructed in the Ripplewood Road and Attwater Drive and can be connected to the proposed severed and retained parcels, to the satisfaction of the Region.
2. That prior to final approval, a licensed Archaeologist prepares an Archaeological Assessment on the lands to be severed and a copy of the Ministry of Heritage, Sport, Tourism and Culture Industries Acknowledgement letter(s) and the

Assessment Report must be provided to Regional Staff and implementation measures shall be secured, all to the satisfaction of the Region’s Planning, Development and Legislative Services Department;
Grand River Conservation Authority

Recommendation
GRCA has no objection to the approval of this consent application by the City of Cambridge.

Documents Reviewed by Staff
Staff have reviewed the following documents submitted with this application:
• Consent application form (prepared by applicant, March 9, 2023);
• Cover letter (prepared by applicants, May 29, 2023); • Severance sketch (prepared by applicants, May 26, 2023); and
• Breakdown report, B27/23 (prepared by the City of Cambridge).

GRCA Comments
GRCA has reviewed this application as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 150/06. GRCA has also provided comments as per our MOU with the Region of Waterloo, and as a public body under the Planning Act as per our Board approved policies.
Information currently available at this office indicates that the subject property is located entirely within the regulated allowance to the Sheffield-Rockton Provincially Significant Wetland Complex (refer to the enclosed map). Consequently, the subject property is regulated by the GRCA under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). Development within a regulated area requires a permit from our office.

It is our understanding that the purpose of this consent application is to sever and convey the eastern (vacant) half of the existing parcel. While no development is contemplated at this time, a building envelope for a future dwelling and septic system has been defined on the severance sketch. We understand the proposed dwelling would connect to recently-installed municipal services (including storm sewers) on Ripplewood Road.

The proposed severed lot is located within allowance to a wetland, and the proposed building envelope appears to be approximately 76 metres from the wetland boundary, as determined through the approval process for the adjacent plan of subdivision (30T/14102). As a result, GRCA would have no concerns with the approval of this consent application, although a permit will be required from GRCA prior to any future development on the severed (or retained) lands.

In support of a future GRCA permit for the construction of a dwelling and septic system on the proposed severed lands, we will require the following plans and information:
• Site plan;
• Grading and drainage plans, including erosion and sediment control detail as applicable;
• Details about the size and placement of septic services; and
• Building drawings.

We would recommend that the applicants consult with GRCA staff prior to the submission of a permit to determine any additional requirements depending on the specific proposal.

Consistent with GRCA’s approved 2023 plan review fee schedule, this application is considered a “minor” consent application, and the applicant will be invoiced $465 for our review. A separate fee will be required for development on the proposed severed lands.

Should you have any questions, please contact me directly at wtowns@grandriver.ca or 519-621-2763 ext. 2232

GrandBridge Energy:
No comments received.

City of Cambridge Building Section:
The submitted drawings appears to indicate that the existing septic system will be located on the adjacent property. The septic system will need to be decommissioned through a building permit application along with a replacement septic system or the property can be connected to municipal servicing (where available) prior to the severance.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
• Services available to the severed property are as follows:
  o Attwater Drive:
    - 200 mm diameter watermain
    - 1200mm trunk (deep) sanitary sewer
    - There is no local shallow sanitary sewer adjacent to the subject site.
  o Ripplewood Road:
    - There are no municipal services east of Attwater Drive on Ripplewood Road

• Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).

• A sanitary service stub was provided to the existing residence on 178 Ripplewood trunk sewer manhole at the intersection of Attwater Drive.

• There sanitary sewer extension will need to connect to this structure if it is to be extended on Ripplewood Road.

• Similarly a water service stub was provided from Attwater Drive to the existing residence on 178 Ripplewood Road and the watermain does not extend across the frontage of the property on Ripplewood.

• A watermain would need to be extended at the Applicant’s expense in order to service the coveyed parcel.
• Design for the municipal service extension prepared by a P.Eng. will need to be submitted to Development Engineering’s review and a approval as a condition of the severance.

• ECA approval will be required prior to the construction of any municipal watermain and sanitary sewer extensions on Ripplewood Road.

• All servicing work within the right-of-way is to be completed by City Forces at 100% owners expense. Cost estimates for work within road allowance are prepared by City Staff upon receipt of the estimate fee of $250.00 (HST included).

• Consideration for drainage will be required to ensure no impacts on adjacent properties. A drainage easement may be required if the revised properties drain across each other.

• The property is located within the G.R.C.A. regulated area. Grading and drainage will require G.R.C.A. approval prior to issuance of a building permit.

**City of Cambridge Fire Department:**
No comment.

**City of Cambridge Economic Development:**

*No comments received.*

**City of Cambridge Environmental Planner:**
No comment.

**Ministry of Transportation:**
No comment.
Aerial & Zoning

Subject Property: (H) R4 Zoning

Site Sketch

- Retained parcel
- Conveyed parcel
Site Visit
Application No.: A69/23  Meeting Date: September 20, 2023  Ward No.: 3

Property Owner: William Hickey
                June Rose Noble

Applicant: William Hickey
           June Rose Noble

Subject Property: PLAN 521 PT LOT 131
                  519 Hamilton St

Proposal:
Seeking relief from zoning by-law 150-85 to permit:

1. a side yard carport addition with an interior side yard setback of 0.3m,
   whereas the zoning by-law requires a minimum of 1.2 m [S.2.1.11.1 (b) (iii)].

The variance will facilitate construction of a carport.

General Information:
Zoning By-law Provisions: R4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4, R5
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located north of Henry Street and south of Birch St. There is an existing single-detached dwelling on the property and the subject property is surrounded by similar single-detached homes.

The City of Cambridge Official Plan designates the subject property as ‘Residential’. Section 8.4.6 of the City’s Official Plan permits a range of residential built forms within residentially designated lands, including accessory structures associated with the main residential use. Staff have evaluated the compatibility of the proposal against the physical character of the neighbourhood and believe that it conforms with the general intent and purpose of the Official Plan.

The subject property is zoned Low Density Residential (R4) under Zoning By-law 150-85, as amended. This zone permits single-detached family dwelling and accessory uses. The Zoning By-law requires a minimum 1.2 m setback from the interior side lot line and rear yard lot line.

While 0.3 m setbacks have commonly been approved by the Committee of Adjustment for entry doors, landings and stairways the proposal for a carport with minimal setbacks not permitting access to the rear yard beside the house is unusual. Such requests have typically involved relatively limited encroachments into the side yards, even where they occupy it’s full width. The proposed structure will have similar impact on abutting properties as a house located at the requested setback. Staff note here that even an accessory structure such a detached garage would have a requirement for a 0.6 m setback. Staff are also aware of concerns by neighbouring properties with regard to the reduced setbacks impact on snow and ice clearance and share these concerns. The impact of the proposal is therefore seen as neither minor in impact nor within the intent of the zoning by-law in regulating building setback.

While a carport is seen as a generally desirable enhancement to a residential property the requested relief would have an undesirable negative impact on adjoining properties as well as side yard functionality in terms of access to the rear. Staff note that a carport excluding side and rear walls would have less apparent mass and visual impact while preserving access to the rear yard of the subject property. Nonetheless, such a design would continue to have significant impact on the neighbouring property by bringing a significant structure much closer to the property line than is anticipated by the zoning by-law.
Staff note that a parking stall as defined in the zoning by-law has a minimum width of 2.9 m while the side yard proposed for development has a total width of 4.56 m, clearly permitting a garage or carport structure while still accommodating required setbacks.

Should a carport or garage with 1.2 m setback not meet the applicants needs, staff would recommend a design be brought forward which provides the 0.6 m setback required for an accessory structure, and which eliminates side rear walls in an effort to reduce the perceived impact of the proposed addition.

City of Cambridge Planning staff recommends refusal of this minor variance application. Should the Committee see fit to approve the application, staff would encourage the request be reduced to the 0.6 m which an accessory structure could be constructed at.

Should the committee see fit to approve the application in whole or in part, staff would recommend the following three (3) conditions:

1. that a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales;

2. that if a rear wall is constructed, a door or entry shall be provided permitting access from the carport to the rear yard of the subject property; and

3. that no habitable space shall be created in the enclosed area with reduced side yard setback

Regional Municipality of Waterloo:

The Region of Waterloo has no comment on this application.

Grand River Conservation Authority:
The Grand River Conservation Authority has no comment on this application.

Energy+ Inc.:
The Applicant is reminded to call Ontario One to obtain locates before digging.

City of Cambridge Building Section:

A building permit is required for the proposed construction.

City of Cambridge Transportation Section:

No comments.
City of Cambridge Project Engineer:
That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales.

City of Cambridge Fire Department:
The Fire Department has no concerns with regards to this application.

City of Cambridge Sustainability Planner – Parks, Recreation and Culture Division:
Aerial & Zoning

Subject Property: R4 Zoning

Interior side yard = 0.3m
Height = 5.18m
Distance from home = 0m
Site Visit
Application No.: A73/23  Meeting Date: September 20, 2023  Ward No.: 7

Property Owner:  Powerplay Equity Capital

Applicant:  Powerplay Equity Capital

Subject Property:  CON 9 N PT LOT 1

20 Ripplewood Rd

Proposal:
Seeking relief from zoning by-law 150-85 to permit:

1. a minimum rear yard setback of 6.5m for a cluster townhouse development (Blocks 10-12 and 19-26), whereas the zoning by-law requires a minimum of 7.5m [S.3.1.2.2 (g)].

The reduced rear yard setback will assist with achieving the required number of parking spaces for a proposed cluster townhouse development.

General Information:
Zoning By-law Provisions: RM (s.4.1.379)
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R2, OS1, (H)R4, RM4
Adjacent Land Use: Residential, Open Space
Existing Use: Residential
Proposed Use: Residential

Staff Comments
City of Cambridge Development Planning Section:
The Applicant is requesting a minor variance for the property at 20 Ripplewood Road as well as Block 123 on Draft Plan 30T-14102 to reduce the minimum rear yard setback from 7.5 m to 6.5 m. The Applicant intends construct 70 townhomes each on their own parcel of tied land.
Staff do not concur with the applicant’s description of the 20 Ripplewood lands as having been added to Block 123 on Draft Plan 30T-14102. At this time 20 Ripplewood is being addressed through Draft Plan 30T-23101, describing the subject lands as Block 1. While this would establish 20 Ripplewood as a whole block on a plan of subdivision. This application has yet to receive draft approval, nor would it consolidate the lands into a single parcel.

As such, Staff note that only one application was made for two separate parcels of land. Despite the City requiring one application per parcel of land, Staff have reviewed the request and offer comments and recommendation below. It is understood that the Applicant intends to bring these two parcels of land together into one consolidated townhouse development, through future part lot control applications.

The heavy dashed line shown in Image 1 below is defined as the rear lot line of Block 123. A 7.5 metre rear yard setback applies, per the RM4 Zone. The Applicant has requested a reduced rear yard setback of 6.5 metres.
Staff wish to bring attention in Image 2 below to one townhouse in the southwest corner of the property, shown on the concept plan submitted, which would not comply with either the current or requested rear yard setback.

The two heavy dashed lines shown in Image 3 below are technically interior side lot lines of Block 123. A setback of only 0.6 metres is required per site specific section 3.1.2.6 (h) of the Zoning By-law. Therefore, the Applicant's request for a rear yard setback reduction from these interior side lot lines is not correct or required.

As for the separate property at 20 Ripplewood Road which was referred to in the Applicant’s submission, a separate minor variance application would need to be filed should variances be required over that parcel. Regardless, staff note that the variance the applicant would be seeking is not correct or required for the same reasons described above as it relates to what is an interior side lot line and
not a rear lot line. Blocks along the southern and eastern bounds of this parcel would have no applicable setback requirements per S.1.1.11’s provisions for the consolidated development of multiple lots with common zoning under identical ownership. Therefore, Staff recommend the Applicant not seek this variance on the property at 20 Ripplewood Road, on the basis that it is not required.

The request to reduce the setback to 6.5 metres is evaluated below based on the four tests of the Planning Act. The required variance is minor in nature insofar as the reduction in rear yard setback will not result in any changes to the functionality of the proposed blocks. The reduction will bring the required rear yards closer to the requirement for other exterior townhomes, which will have “back yards” regulated as being interior side yards (of the complete site), which have already been granted significant reduction below the parent by-law’s requirement of 7.5 m.

The reduction will permit a more efficient use of the lands and produce a consistent built form across the totality of the proposed development. It should be further considered that the reduced setback will be in the direction of Open Space zoned lands on which development cannot be anticipated. No negative impact is expected as a result of the required variance.

In terms of the by-laws intent the by-law seeks to provide for the efficient use of the land for a residential development, and already anticipates reductions below the base RM4 designation. While the scope of the required variance exceeds what might be called “technical”, staff view the application of a full 7.5 m rear setback as something of an anomaly within the by-law, and believe that the requested 6.5 m specification full reflects the form of development anticipated by the by-law.

City of Cambridge Planning Staff recommend approval in part of minor variance application A73/23 as it relates to the property known currently as Block 123 Draft Plan 30T-14102, for a reduction in the minimum rear yard from 7.5 metres to 6.5 metres. No conditions are recommended.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
Grand River Conservation Authority (GRCA) staff has reviewed the above-noted application that is requesting a reduction in the required rear yard setbacks to support the required parking spaces to facilitate the construction of cluster townhouses on the subject property.

**Recommendation**

The GRCA would have no objection to the approval of this minor variance application by the City of Cambridge.

**Documents Reviewed by Staff**

Staff have reviewed the following documents submitted with this application:

- Breakdown Report, Minor Variance Application (A73/23), 20 Ripplewood Road, Cambridge (prepared by City of Cambridge and dated August 29, 2023); and,
GRCA Comments
GRCA has reviewed this application under the Mandatory Programs and Services Regulation (O.R. 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020), as a regulatory authority under Ontario Regulation 150/06 and as a public body under the Planning Act as per our CA Board approved policies.

Information currently available at this office indicates that the subject property is located within the regulated allowance of portions of the adjacent Provincially Significant Sheffield Rockton Wetland Complex (refer to the enclosed map). Consequently, the subject property is regulated by the GRCA under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation).

The GRCA was involved in the review of this subdivision and issued draft plan conditions on June 26, 2019. Subsequently, the GRCA also reviewed the related site plan application (SP09/22) for this block. At this time, it is our understanding that the draft plan has still not been registered by the Region of Waterloo and the site plan process is in the final stages of approval. As such, a portion of Blocks 123 is still regulated by the GRCA and any new development/site alteration within this area would be subject to GRCA permit approval under Ontario Regulation 150/06. However, the regulation limits will be revised to the wetland buffer areas and these development blocks upon registration of Block 123. Once registered, no further GRCA permit approval would be required under Ontario Regulation 150/06. We have no concerns with the intent of this minor variance proposal.

Based on the foregoing, the GRCA would have no objection to the approval of this minor variance application by the City of Cambridge.

Consistent with the GRCA’s 2023 approved fee schedule, the applicant will be invoiced in the amount of $300 for the GRCA’s review of this application. Our current fee schedule is available under the Planning & Development section on our website at www.grandriver.ca.

City of Cambridge Building Section:
A building permit is required for the proposed townhouse construction.

City of Cambridge Transportation Engineering Section:
City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

City of Cambridge Fire Department:
No comment.

City of Cambridge Environmental Planner:
No comment.

Aerial & Zoning

Subject Property: (H)R4 Zoning
Site Sketch

Block 123
Draft Plan 30T-14102
Ripplewood Drive, Cambridge

rear yard setback = 6.5m
Site Visit
Application No.: A74/23  Meeting Date: September 20, 2023  Ward No.: 6

Property Owner: Cheryl Darlene Outram
Applicant: Cheryl Darlene Outram
Subject Property: PLAN 457 PT LOT 54 PT LOT 55 39 Henry St

Proposal:
Seeking relief from zoning by-law 150-85 to permit:

1. An accessory structure with a lot coverage of 21.1%, whereas the zoning by-law permits a maximum lot coverage of 10% [S.2.1.11.1 (d)].

The variance will facilitate construction of an addition to an existing detached garage.

General Information:
Zoning By-law Provisions: R4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located north of Henry Street and south of Birch St. There is an existing single-detached dwelling on the property and is abutted by similar single-detached homes.

Four Tests of a Minor Variance

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The City of Cambridge Official Plan designates the subject property as ‘Residential’. Section 8.4.6 of the City’s Official Plan permits a range of residential built forms within residentially designated lands, including accessory structures associated with the main residential use. Staff have evaluated the compatibility of the proposal against the physical character of the neighbourhood and believe that it conforms with the general intent and purpose of the Official Plan.

Is the proposal minor in nature?
The increase in lot coverage for the proposed addition to the existing detached garage appears to be significant in nature. While the total lot coverage is proposed to remain under the 50% permitted by the by-law inclusive of both primary and accessory structures it also propose to more than double the permitted coverage for an accessory structure. Accessory structures are generally permitted to provide minimal setbacks in consideration of their small scale, while this proposal has greater lot coverage than the primary dwelling on the site, effectively establishing minimum setbacks anticipated for small structures across the complete rear yard of the subject property.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
The subject property is zoned for low density residential use (R4) under Zoning By-law 150-85, as amended. This zone permits single-detached family dwelling and accessory uses.

Section 2.1.11 of the Zoning By-law sets out the zone standards for accessory structures in residential areas including maximum lot coverage.

The intent of the Zoning By-law with respect to maximum lot coverage is to ensure that the accessory structure remains at a scale subordinate to the principal dwelling and to ensure that there is adequate open space for drainage. The applicant is proposing to create an
addition to an existing detached garage with a total lot coverage of 21.5%, whereas the zoning by-law permits a maximum of 10%. As discussed above, the by-law anticipates accessory structures being relatively small in scale and subordinate to the primary dwelling. This proposal would result in an ‘accessory’ building with greater total footprint than the ‘primary’ dwelling. While the structure would remain compliant with the other zoning by-law provision, the reduced setbacks permitted for accessory structures are not intended for use by structures on the scale of the proposed building.

Is the proposal desirable for the appropriate development and use of the lands?
The requested relief would allow the property owner to create an addition to the existing detached garage to use for storage and workshop purposes. Given the large size of the proposed garage structure and questions as to which structure would truly be ‘primary’ staff are further concerned that the proposal could result in an undesirable condition wherein the primary ‘character’ of the site becomes that of a storage and workshop use.

In staff’s opinion, the requested minor variance for the proposed detached garage addition fails to meet the general intent and purpose of the Zoning By-Law, being minor in none of scope, scale nor impact. The proposal is further expected to have significant negative impact on properties behind 39 Henry. While that impact does appear to be largely the result of setbacks permitted for an accessory structure, they are applied to a greater extent than could reasonably be anticipated for a structure following by-law provisions. Staff note that while an accessory structure of greater than 10% lot coverage can and has been supported, such conditions are reliant on the general scope and scale of the accessory building remaining subordinate to the primary dwelling. This proposal’s combination of an extremely large accessory building with minimal, albeit permitted, setbacks as well as a relatively small primary structure results in a condition not anticipated or intended by the by-law.

City of Cambridge Planning staff recommends refusal of this minor variance application. Should the Committee see fit to approve the application, staff would recommend the following conditions:

1. That the development of the proposed detached garage be substantially in keeping with the plans submitted with the minor variance application;

2. That the detached garage shall not be used for a home occupation without a further application to the Committee of Adjustment;

3. That the detached garage shall not contain a residential unit without a further application to the Committee of Adjustment;

4. That a grading plan be prepared, to the satisfaction of City of Cambridge Development
Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales; and

5. that total lot coverage inclusive of the primary dwelling and all accessory structures located on the subject property shall not exceed 50%.

Regional Municipality of Waterloo:

The Region of Waterloo has no comment on this application.

Grand River Conservation Authority:

The Grand River Conservation Authority has no comment on this application.

Energy+ Inc.:

The Applicant is reminded to call Ontario One to obtain locates before digging.

City of Cambridge Building Section:

A building permit is required for the proposed construction.

City of Cambridge Transportation Section:

No comments.

City of Cambridge Project Engineer:

City of Cambridge Fire Department:

The Fire Department has no concerns with regards to this application.
Aerial & Zoning

Subject Property: R4 Zoning

Site Sketch

Subject Property: R4 Zoning
Application No.: A75/23  Meeting Date: September 20, 2023  Ward No.: 2

Property Owner: Sourabh Arora
Arora Sourabh

Applicant: Sourabh Arora
Arora Sourabh

Subject Property: PLAN 58M345 LOT 59
84 Skipton Cres

Proposal:
Seeking relief from zoning by-law 150-85 to permit:

1. A below grade entrance including stairs and landing with an interior side yard setback of 0.38m, whereas the zoning by-law requires a minimum of 1.2m [S.3.1.1.11.1 (c)].

The variance will facilitate construction of a below grade entrance to an additional residential unit.

General Information:
Zoning By-law Provisions: R5
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R5
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Staff Comments:

City of Cambridge Development Planning Section:

The subject property is located southeast of Skipton Crescent and southwest of Townline Road. There is an existing single-detached dwelling on the property and is abutted by similar single-detached homes.

Four Tests of a Minor Variance

Is the proposal desirable for the appropriate development and use of the lands?

The variance will facilitate construction of an additional residential unit (ARU) in the basement of the existing single detached dwelling. The main entrance to the primary dwelling is located northeast of the existing home, and the proposed below grade entrance to the ARU will be on the east side of the main dwelling. The More Homes Built Faster Act, 2022 (Bill 23), which was passed by the province, permits additional residential unit (s) of up to two units “as-of-right” on a parcel of land with an existing detached dwelling unit, semi-detached dwelling unit rowhouse or townhouse dwelling unit. The proposed below grade entrance will serve as an access to the basement ARU.

Despite the reduced side yard setback, the proposed below grade entrance remains compliant of the other provisions prescribed in the City’s ARU By-law. As such, it is the opinion of Planning Staff that the requested variance is desirable for the appropriate development and use of the land.

As a condition of approval, staff recommend that a paved walkway be provided from the street to the ARU entry way stairs, which generally align with the fire access requirements of the Ontario Building Code.

Although there are no anticipated impacts on the neighbouring properties, staff recommend requiring the applicant to demonstrate that there are no drainage impacts from the landing, stairs and associated walkway due to the proposed construction’s proximity to a property line.

Is the proposal minor in nature?

The reduced interior side yard setback for the proposed ARU appears to be minimal in nature, since:

- The building footprint remains unchanged;
- The proposed variance applies only to a small portion of the lot for access to the
Despite the reduced *interior side yard* setback, Planning Staff is of the opinion that the overall impact of the proposed variance on the neighbouring properties is minor in nature.

**Does the proposed minor variance maintain the general intent and purpose of the Official Plan?**
The City of Cambridge Official Plan designates the subject property as ‘Residential’. Section 2.8 (e) of the City’s Official Plan promote balanced residential intensification including individual lot intensification that is compatible with existing and permitted uses on neighbouring properties, as well as any other key natural and cultural heritage resources. The policies of the Official Plan promote and encourage different forms of residential intensification within the City of Cambridge, which includes the construction of ARUs as a form of gentle intensification. Staff are satisfied that the reduced setback for a landing and stairs to an ARU entry is within the general intent and purpose of the Official Plan.

**Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?**
The subject property is zoned Low Density Residential (R4) under Zoning By-law 150-85, as amended. This zone permits single-detached family dwelling and additional residential units (ARUs).

The intent of the interior side yard setbacks is to ensure there is adequate spatial separation between abutting residential properties for privacy, access, maintenance, and drainage. The requested variance is to permit an interior side lot line of 0.38m (1.25 ft), whereas the zoning by-law requires a minimum of 1.2m (3.94 ft), to accommodate for a below grade entrance to an additional residential unit in the basement. The location of the stairs maintain sufficient standards of access to the rear of the property and an acceptable level of privacy for residents as the stairs will not be facing any other access or habitable windows from adjacent dwelling units.

To uphold the intent of the by-law and ensure a safe and clear pathway from the street to the proposed ARU side entry stairs, staff recommend that the below grade stairs design be consistent with the plans submitted and that a paved walkway from the street to the stairs be provided. As previously indicated, staff also recommend as a condition of approval, that the applicant demonstrate no drainage impacts from the below grade entrance and associated walkway.

In staff’s opinion, the requested minor variance for the proposed below grade entrance to an
ARU meets the general intent and purpose of the Official Plan and Zoning By-Law, is minor in nature and appropriate for the development of the site.

City of Cambridge Planning staff recommends **approval** of this minor variance application subject to the following conditions:

1. that an unobstructed pedestrian path of travel having a minimum width of 0.9 m and minimum height of 2.1 m shall be provided from the door to the street;

2. that it be demonstrated the below grade stairs and walkway to the side entry do not result in a blockage of the existing swale and/or additional drainage onto neighbouring properties to the satisfaction of Planning Services;

3. that the stairs and landing be constructed substantially in keeping with the revised plan submitted to the City of Cambridge, prepared by Pahari Designs, dated June 2023; and

4. That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering.

**Regional Municipality of Waterloo:**

The Region of Waterloo has no comment on this application.

**Grand River Conservation Authority:**

The Grand River Conservation Authority has no comment on this application.

**Energy+ Inc.:**

Energy+ Inc has no comment on this application.

**City of Cambridge Building Section:**

A building permit is required for the proposed ARU and below grade entrance construction.

A building permit application has been submitted and is currently incomplete as a result of the zoning deficiencies.

**City of Cambridge Transportation Section:**

The Transportation Department has no comment on this application.
City of Cambridge Project Engineer:

- A 0.38m setback is proposed from the side yard property line to retaining wall and stairs for the new side entrance.
- Consideration for drainage will be required to ensure no impacts on adjacent property.
- Existing drainage is not to be blocked or directed to the adjacent property as a result of the proposed construction. If there is shared side yard swale on the property line it is not to be blocked.
- A grading plan or mark-up will need to be provided which confirms that the existing drainage will not be negatively impacted as a result of the construction of the retaining wall and stairs.

City of Cambridge Fire Department:

The Fire Department has no concerns with regards to this application.
Subject Property: R5 Zoning

Interior side yard setback = 0.38m
Application No.: A76/23  Meeting Date: September 20, 2023  Ward No.: 1

Property Owner:  Kanagasabai Aswin

Applicant:  Kanagasabai Aswin

Subject Property:  PLAN 58M-604 LOT 98  
91 Pointer St

Proposal:
Seeking relief from Zoning By-law 150-85 to permit:

1. An above grade side entry stairs and landing, providing access to an additional residential unit, to be set back a minimum of 0.35 m from the interior side lot line, whereas Section 3.1.1.11.1 (c) requires a minimum of 1.2 m.

The variance will facilitate construction of an additional residential unit (ARU) in the basement of the existing single detached dwelling.

General Information:
Zoning By-law Provisions: R6
Official Plan Designation: LOW / MEDIUM DENSITY RESIDENTIAL
Adjacent Zoning: R6, OS4
Adjacent Land Use: Residential, Open Space
Existing Use: Residential
Proposed Use: Residential
Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located southeast of Pointer Street and south of Equestrian Way. There is an existing single-detached dwelling on the property and is abutted by similar single-detached homes.

During review staff noted that the original house permit indicated a 1.26m proposed side yard setback, whereas the submitted site plan shows a side yard setback of 1.41m. The applicant should obtain an as-built survey to confirm the required side yard setback for the landing and stair is accurate. While the actual setback of the house to the property line would remain compliant with the by-law under either dimension staff are concerned that this could create a meaningful change in setback between the proposed landing the property line.

Four Tests of a Minor Variance
Is the proposal desirable for the appropriate development and use of the lands?
The variance will facilitate construction of an additional residential unit (ARU) in the basement of the existing single detached dwelling. The main entrance to the primary dwelling is located northeast of the existing home, and the proposed below grade entrance to the ARU will be on the east side of the main dwelling. The More Homes Built Faster Act, 2022 (Bill 23), which was passed by the province, permits additional residential unit(s) of up to two units “as-of-right” on a parcel of land with an existing detached dwelling unit, semi-detached dwelling unit, rowhouse or townhouse dwelling unit. The proposed above grade side entrance will serve as an access to the basement ARU.

Despite the reduced side yard setback, the proposed above grade side entrance remains compliant of the other provisions prescribed in the City’s ARU By-law. As such, it is the opinion of Planning Staff that the requested variance is desirable for the appropriate development and use of the land.

As a condition of approval, staff recommend that a paved walkway be provided from the street to the ARU entry way stairs, which generally align with the fire access requirements of the Ontario Building Code.

Although there are no anticipated impacts on the neighbouring properties, staff recommend requiring the applicant to demonstrate that there are no drainage impacts from the landing, stairs and associated walkway due to the proposed construction’s proximity to a property line.
Is the proposal minor in nature?
The reduced interior side yard setback for the proposed ARU appears to be minimal in nature, since:

- The building footprint remains unchanged;
- The proposed variance applies only to a small portion of the lot for access to the second unit in the basement

Despite the reduced interior side yard setback, Planning Staff is of the opinion that the overall impact of the proposed variance on the neighbouring properties is minor in nature.

Does the proposed minor variance maintain the general intent and purpose of the Official Plan?
The City of Cambridge Official Plan designates the subject property as 'Residential'. Section 2.8 (e) of the City’s Official Plan promote balanced residential intensification including individual lot intensification that is compatible with existing and permitted uses on neighbouring properties, as well as any other key natural and cultural heritage resources. The policies of the Official Plan promote and encourage different forms of residential intensification within the City of Cambridge, which includes the construction of ARUs as a form of gentle intensification. Staff are satisfied that the reduced setback for a landing and stairs to an ARU entry is within the general intent and purpose of the Official Plan.

Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?
The subject property is zoned Medium High Density Residential (R6) under Zoning By-law 150-85, as amended. This zone permits single-detached family dwelling and additional residential units (ARUs).

The intent of the interior side yard setbacks is to ensure there is adequate spatial separation between abutting residential properties for privacy, access, maintenance, and drainage. The requested variance is to permit an interior side lot line of 0.35m (1.15 ft), whereas the zoning by-law requires a minimum of 1.2m (3.94 ft), to accommodate for an above grade side entrance to an additional residential unit in the basement. The location of the stairs maintains sufficient standards of access to the rear of the property and an acceptable level of privacy for residents.

To uphold the intent of the by-law and ensure a safe and clear pathway from the street to the proposed ARU side entry stairs, staff recommend that the landing and stairs design be consistent with the plans submitted and that a paved walkway from the street to the stairs be
provided. As previously indicated, staff also recommend as a condition of approval that the applicant demonstrate no drainage impacts from the below grade entrance and associated walkway.

In staff’s opinion, the requested minor variance for the proposed below grade entrance to an ARU meets the general intent and purpose of the Official Plan and Zoning By-Law, is minor in nature and appropriate for the development of the site.

Based on the analysis above, City of Cambridge Planning Staff recommend deferral of the minor variance application to permit the applicant to verify the setback between the house and property line with a survey. Staff note that should the position of the house be such that the proposed construction is less than 0.35 m from the side lot line a new minor variance application would be required, while a deferral would permit revision to reflect the accurate setback.

Should the Committee see fit to approve the application today, staff would recommend the following conditions:

1. that an unobstructed pedestrian path of travel having a minimum width of 0.9 m and minimum height of 2.1 m shall be provided from the door to the street;

2. that it be demonstrated the below grade stairs and walkway to the side entry do not result in a blockage of the existing swale and/or additional drainage onto neighbouring properties to the satisfaction of Planning Services;

3. That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the side yard area, including proposed locations of roof leaders, swales, etc to confirm that the proposed side yard entrance does not obstruct drainage;

4. that the stairs and landing be constructed substantially in keeping with the revised plan submitted to the City of Cambridge, prepared by Mem Engineering Inc, dated June 15, 2023; and

5. that a survey be provided prior to approval of a building permit confirming that the entry, stairs and landing will comply with the zoning by-law and the minor variance to the satisfaction of Planning Staff.

Regional Municipality of Waterloo:

The Region of Waterloo has no comment on this application.
Grand River Conservation Authority:

The Grand River Conservation Authority has no comment on this application.

Energy+ Inc.:

The Grand River Conservation Authority has no comment on this application.

City of Cambridge Building Section:

A building permit revision or separate permit is required for the proposed side entrance landing construction.

The applicant should consider obtaining an as-built survey to confirm the noted side yard setback is accurate. The original house permit indicated a 1.26m side yard was proposed vs the 1.41m shown on the submitted site plan. The proposed 0.35m setback to the stair will remain compliant provided the actual house setback is 1.27m or greater (based on the proposed 3’-0” wide stair).

City of Cambridge Transportation Section:

The Transportation Department has no comment with regards to this application.

City of Cambridge Project Engineer:

That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the side yard area, including proposed locations of roof leaders, swales, etc. to confirm that the proposed side yard entrance does not obstruct drainage.

City of Cambridge Fire Department:

The Fire Department has no comment with regards to this application.
Aerial & Zoning

Subject Property: R6 Zoning with S.4.1.303C reference

Setback= 0.35m
Application No.: A78/23  Meeting Date: September 20, 2023  Ward No.: 2

Property Owner:  Darr Majed Zaman
Applicant:  Darr Majed Zaman

Subject Property:  PLAN 590 LOT 9 LOT 10 PT LOT;21 PT LOT 23 442 River Rd

Proposal:
Seeking relief from Zoning By-law 150-85 to permit:

   1. a minimum interior side yard setback of 3 m to the east, whereas the Site-Specific provision S.4.1.415 requires a minimum of 5 m.
   2. a minimum interior side yard setback of 2 m to the west, whereas the Site-Specific provision S.4.1.415 requires a minimum of 5 m.

The variance will facilitate construction of a new single detached dwelling.

General Information:
Zoning By-law Provisions: R2
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: Rm4 R2
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Staff Comments
City of Cambridge Development Planning Section:
The subject property is a vacant parcel of land located on the east side of River Road southwest of the intersection with Townline Road. Despite a lack of municipal services the subject lands are zoned R2 with site specific provisions originating in the River Road Secondary Plan and Servicing Study.
The Applicant requests relief from site specific provisions of the Zoning By-law which increase the general side yard requirement from 1.2 m to 5 m. This will facilitate construction of a single detached home set back 3 m from each side lot line with the exception of side entry to the basement projecting 4 ft (1 m) farther on the south side.

Given the site specific provision and its uniqueness particular attending has been paid to the intention of the site-specific by-law, and the Secondary Plan study it seeks to enact. The except from the 2019 River Road Secondary Plan and Servicing Study is taken as an illustrative, though not exhaustive, discussion of the intent in increasing side yard setbacks.

Where the northern portion of River Road approaches the bend towards Townline Road, larger lawns become a common feature and residences are set back further from the roadway with less vegetation obscuring the buildings. The larger setbacks and resulting lawns are often associated with more recently constructed residences.

The properties along the roadway have a wide-range of construction dates and styles, and generally the residences, as a collective, lack a cohesive character. There are a number of properties that are over a century old, though much of the housing stock in the area lacks a high level of craftsmanship or artistic merit. Generally, the land in this area slopes towards the Speed River, with the residences to the east sitting slightly above the grade of the road. River Road itself sits atop an embankment with a significant change of grade occurring between the roadway and the Speed River. As such, many of the residential buildings located between River Road and the Speed River are situated well below street-level. As mentioned above, setbacks are often correlated with the age of the house, with older buildings located close to the roadway. However, there are also three laneways that provide access to houses set further back from the roadway.

Section 18.2 of the Draft Secondary Plan elaborates:

**Neighbourhood Vision**
The River Road Secondary Plan Vision is based on the growth and development tenets found in the City of Cambridge Official Plan to:

“Develop a community that supports and emphasizes River Road’s unique rural character and built heritage features, in a way that allows residents and visitors to better enjoy the natural environment and scenic views associated with the Speed River.

The community is envisioned as a sustainable and accessible neighbourhood with a range of housing, a pedestrian friendly environment and multiple recreational opportunities.”
Furthermore, the Vision for the River Road Secondary Plan lands is intended to encourage and manage development in a manner that delivers a vibrant and diverse community. Key components of the Vision reflected in the policies herein and related schedules include:

1. The enhancement of River Road as a scenic "promenade" route along the Speed River through the implementation of a distinctive streetscape and built form character strategy fronting onto the street;
2. The preservation and enhancement of the existing River Road streetscape through the implementation of a special residential character zone that seeks to maintain the area’s character through the implementation of a River Road typical streetscape and built form character elements such as building setbacks, height and massing;
3. The development of a neighbourhood-scaled open space network that is sensitive to the site's existing natural features and provides pedestrian links to adjacent public open space amenities;
4. The development of a community with a diverse range of housing types; and,
5. The implementation of a connected street system.

Taken together staff are satisfied that a relatively irregular built pattern is in keeping with both the established character of the neighbourhood, the City of Cambridge Official Plan as well as the vision anticipated for a River Road Secondary Plan.

In this context staff note that the subject lands have a relatively small lot area as compared to other River Road lots within the 60 m radius used for evaluation of consent applications. Considering the subject parcel is an established lot of record in an area with notably varied built form staff consider that the reduction of the side yard specification to the 3 m generally taken as appropriate for privately serviced urban lands fulfills the intent of the site specific by-law to provide increased building separation and setback in the River Road area. Similarly, the reduced side yards represent an appropriate and desirable response to a unique lot.

While a setback of 2 m is requested, and indeed required for the side entry to the dwelling illustrated on the site plan provided, staff recommend that the variance be generally limited to 3 m, with an additional 1m encroachment permitted per the site sketch submitted.
In considering the specific intent of the zoning by-law Staff note that the R2 zone is generally intended for locations with large lots but with municipal services, whereas the subject lands are privately serviced. The R1 zone generally used for urban areas without municipal services includes a 3 m side yard setback specification.

City of Cambridge Planning Staff recommend **approval** of the minor variance application subject to the following conditions:

1. that a side yard of 3 m is required on the south side of the property, excepting an entry stair and landing similar to that indicated on the site sketch submitted to the Committee of Adjustment by Rogan Home Designed dated July / 23. Such entry, landing and stair may project a further 1 m into the side yard; and
2. that prior to issuance of a building permit the applicant shall submit proof, to the satisfaction of the City of Cambridge, that private water and sewer service is capable of accommodating all existing and proposed dwelling units on the subject lands.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority
No comment.

City of Cambridge Building Section:
A building permit is required for the proposed construction of the house and septic system.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comments received.

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

City of Cambridge Fire Department:
No comment.

City of Cambridge Economic Development:
No comments received.

City of Cambridge Environmental Planner:
No comment.
Aerial & Zoning

Subject Property:
R2 Zoning with S.4.1.415 reference

Setback = 3m

Setback = 2m
Site Visit
Application No.: A79/23  Meeting Date: September 20, 2023  Ward No.: 2

Property Owner: Maulikkumar Patel
Komal Patel

Applicant: Maulikkumar Patel
Komal Patel

Subject Property: PLAN 58M222 LOT 60
157 Patton Dr

Proposal:
Seeking relief from Zoning By-law 150-85 to permit:

1. An above grade side entry stairs and landing, providing access to an additional residential unit, to be set back a minimum of 0.14 m from the interior side lot line, whereas Section 3.1.1.11.1 (c) a minimum of 1.2 m.

The variance will facilitate construction of an additional residential unit (ARU) in the basement of the existing single detached dwelling.

General Information:
Zoning By-law Provisions: R6
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R6
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential
Staff Comments:

City of Cambridge Development Planning Section:
The subject property is located North of Patton Drive and south of Bartleman Crescent. There is an existing single-detached dwelling on the property and is abutted by similar single-detached homes.

Four Tests of a Minor Variance

Is the proposal desirable for the appropriate development and use of the lands?
The variance will facilitate construction of an additional residential unit (ARU) in the basement of the existing single detached dwelling. The main entrance to the primary dwelling is located northeast of the existing home, and the proposed below grade entrance to the ARU will be on the east side of the main dwelling. The More Homes Built Faster Act, 2022 (Bill 23), which was passed by the province, permits additional residential unit (s) of up to two units “as-of-right” on a parcel of land with an existing detached dwelling unit, semi-detached dwelling unit rowhouse or townhouse dwelling unit. The proposed below grade entrance will serve as an access to the basement ARU.

Despite the reduced side yard setback, the proposed below grade entrance remains compliant of the other provisions prescribed in the City’s ARU By-law. As such, it is the opinion of Planning Staff that the requested variance is desirable for the appropriate development and use of the land.

As a condition of approval, staff recommend that a paved walkway be provided from the street to the ARU entry way stairs, which generally align with the fire access requirements of the Ontario Building Code.

Although there are no anticipated impacts on the neighbouring properties, staff recommend requiring the applicant to demonstrate that there are no drainage impacts from the landing, stairs and associated walkway due to the proposed construction’s proximity to a property line.

Is the proposal minor in nature?
The reduced interior side yard setback for the proposed ARU appears to be minimal in nature, since:

- The building footprint remains unchanged;
- The proposed variance applies only to a small portion of the lot for access to the second unit in the basement
Despite the reduced *interior side yard* setback, Planning Staff is of the opinion that the overall impact of the proposed variance on the neighbouring properties is minor in nature. In providing a positive recommendation staff noted that 0.14 m is an unusually low setback requirement for such a proposal, and concluded that while the numeric difference between a setback of ~0.3 m and ~0.14 could be seen as significant the functional impact is much the same. Fundamentally the purpose of such application is seen as being the construction of side entries with landings which provide minimum setback insufficient for pedestrian passage alongside the landing.

**Does the proposed minor variance maintain the general intent and purpose of the Official Plan?**
The City of Cambridge Official Plan designates the subject property as 'Residential'. Section 2.8 (e) of the City’s Official Plan promote balanced residential intensification including individual lot intensification that is compatible with existing and permitted uses on neighbouring properties, as well as any other key natural and cultural heritage resources. The policies of the Official Plan promote and encourage different forms of residential intensification within the City of Cambridge, which includes the construction of ARUs as a form of gentle intensification. Staff are satisfied that the reduced setback for a landing and stairs to an ARU entry is within the general intent and purpose of the Official Plan.

**Does the proposed minor variance maintain the general intent and purpose of the Zoning By-law?**
The subject property is zoned Low Density Residential (R4) under Zoning By-law 150-85, as amended. This zone permits single-detached family dwelling and additional residential units (ARUs).

The intent of the interior side yard setbacks is to ensure there is adequate spatial separation between abutting residential properties for privacy, access, maintenance, and drainage. The requested variance is to permit an interior side lot line of 0.14m (0.46 ft), whereas the zoning by-law requires a minimum of 1.2m (3.94 ft), to accommodate for a below grade entrance to an additional residential unit in the basement. The location of the stairs maintain sufficient standards of access to the rear of the property and an acceptable level of privacy for residents as the stairs will not be facing any other access or habitable windows from adjacent dwelling units.

To uphold the intent of the by-law and ensure a safe and clear pathway from the street to the proposed ARU side entry stairs, staff recommend that the below grade stairs design be consistent with the plans submitted and that a paved walkway from the street to the stairs be
provided. Staff note that the plans submitted include a step-through design for the landing preserving access to the rear yard through the subject side yard. As previously indicated, staff also recommend as a condition of approval, that the applicant demonstrate no drainage impacts from the below grade entrance and associated walkway.

In staff’s opinion, the requested minor variance for the proposed below grade entrance to an ARU meets the general intent and purpose of the Official Plan and Zoning By-Law, is minor in nature and appropriate for the development of the site.

City of Cambridge Planning staff recommends approval of this minor variance application subject to the following conditions:

1. that an unobstructed pedestrian path of travel having a minimum width of 0.9 m and minimum height of 2.1 m shall be provided from the door to the street;

2. that it be demonstrated the below grade stairs and walkway to the side entry do not result in a blockage of the existing swale and/or additional drainage onto neighbouring properties to the satisfaction of Planning Services; and

3. that the stairs and landing be constructed substantially in keeping with the revised plan submitted to the City of Cambridge, prepared by Pahari Designs, dated June 2023.

That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering.

Regional Municipality of Waterloo:

The Region of Waterloo has no comment on this application.

Grand River Conservation Authority:

The Grand River Conservation Authority has no comment on this application.

Energy+ Inc.:

Engineering+ Inc. has no comment on this application.

City of Cambridge Building Section:

A building permit is required for the proposed construction.

A building permit application is currently under review for the proposed ARU.
City of Cambridge Transportation Section:
The Engineering Department has no comment on this application.

City of Cambridge Project Engineer:
- A 0.14m setback is proposed from the side yard property line to the landing and stairs.
- Consideration for drainage will be required to ensure no impacts on adjacent property.
- Existing drainage is not to be blocked or directed to the adjacent property as a result of the proposed construction. If there is shared side yard swale on the property line it is not to be blocked.
- A grading plan or mark-up will need to be provided which confirms that the existing drainage will not be negatively impacted as a result of the landing and stairs construction.

Ministry of Transportation Ontario (MTO)
MTO has no concerns with regards to this application.

City of Cambridge Fire Department:
The Fire Department has no concerns with regards to this application.
Subject Property: R6 Zoning

Setback = 0.14m
Proposed landing
Application No.: A81/23  Meeting Date: September 20, 2023  Ward No.: 2

Property Owner:  Plaza Holiday Inn Drive (Cambr

Applicant:  Plaza Holiday Inn Drive (Cambr

Subject Property:  PLAN 907 PT LOT 6 PLAN 908;PT LOT 8 PT RESERVE LOT C 150 Holiday Inn Dr

Proposal:
Seeking relief from Zoning By-law 150-85 to permit

1. a parking rate of 3.08 spaces per 100 sq m (604 stalls) floor area where minor variance A41/22 requires a rate of 3.49 per 100 sq m (686 stalls) and the by-law require a minimum of 5 spaces per 100 sq m (864 stalls) [S 2.2.1(2)].

The variance will facilitate use of existing parking arrangements following a building renovation resulting in increased gross leasable area.

General Information:
Zoning By-law Provisions: CS3
Official Plan Designation: COMMUNITY COMMERCIAL
Adjacent Zoning: CS3
Adjacent Land Use: Commercial
Existing Use: Commercial
Proposed Use: Commercial

Staff Comments
City of Cambridge Development Planning Section:
The Applicant is requesting a parking variance to further reduce the parking requirements on the subject property below those required in minor variance B76/22 as a result of renovation to an existing commercial building on the site creating an additional 2,332 sq m of gross leasable area.

Both the city of Cambridge Official Plan and Zoning By-law broadly seeks to ensure sufficient on-site parking is provided for the level of vehicular traffic
associated with a particular development. As in the prior application for parking on the subject lands it is clearly observable that the level of parking available on the site significantly exceeds the day to day requirements of the buildings present.

The applicant has provided a parking justification study indicating a surplus of 64 spaces during peak parking demand based on Institute of Transportation Engineers (ITE) Parking Generation Manual rate for a “Shopping Center” land use category and “Dense Multi-Use Urban” setting. This analysis conforms to the commercial zoning and the Community Node Official Plan designation. The study further indicates that observed utilization of the parking falls significantly below the required or requested rates.

Planning Staff are satisfied that an appropriate level of parking is proposed for the site following the renovations. As such staff are satisfied that the variance is minor in nature, both numerically and in term of impact and that the purpose parking policies of the Official Plan and regulations of the Zoning By-law are met.

Staff recommend approval of the minor variance with the one (1) condition applied to the prior approval:

1. That the parking variance shall apply to the retained lands of application B76/22.

Regional Municipality of Waterloo:
No comment.

Grand River Conservation Authority

City of Cambridge Building Section:
Parking density only.

City of Cambridge Transportation Engineering Section:
No comment.

City of Cambridge Development Engineering Section:
No comment.

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.

City of Cambridge Fire Department:
No comment.

City of Cambridge Environmental Planner:
No comment.

**Ministry of Transportation:**
MTO has no requirements for the application, however the site is within MTO’s Permit Control Area. The applicant may be required to obtain Building and Land Use permits from MTO. The applicant is encouraged to pre-consult with MTO about the building renovations on site. In accordance with the Ontario Building Code, municipal permits may not be issued until such time as all other applicable requirements (i.e.: MTO permits/approvals) are satisfied.

**Aerial & Zoning**
Application No.: B44/23, A82/23, A83/23  Meeting Date: September 20, 2023
Ward No.: 3

Property Owner: Properties Group Inc Miller
Applicant: Properties Group Inc Miller

Subject Property: PLAN 716 LOT 255
141 Laurel St

Proposal:
Seeking consent to sever a residential property to create a new lot, being:

Lot 1 (conveyed by B39/23)
Area: 479.1 sq m
Frontage: 11.7 m

Lot 2 (retained)
Area: 572.3 sq m
Frontage: 14.0 m

As a result of the proposed severance, relief from zoning by-law 150-85 will be required to permit:

Lot 1 – Conveyed (minor variance A82/23)
1. a lot frontage of 11.7 m, whereas the zoning by-law requires a minimum lot frontage of 15 m [S.3.1.2.2 (a)(i)].

Lot 2 - Retained (minor variance A83/23)
1. a lot frontage of 14.0 m, whereas the zoning by-law requires a minimum lot frontage of 15 m [S.3.1.2.2 (a) (i)].
General Information:
Zoning By-law Provisions: R4
Official Plan Designation: Low / Medium Density Residential
Adjacent Zoning: R4, RM4, R5
Adjacent Land Use: Residential
Existing Use: Residential
Proposed Use: Residential

Staff Comments
City of Cambridge Development Planning Section:
The subject lands are a residential parcel located on the east side of Laurel St, between Eagle St N and Whitley St. The lands contain a heritage listed single detached home which is to be retained, and is described on the Heritage Register as “Gothic Revival style, mid 1800s, yellow brick residence”.

The applicant is proposing to sever the property for the creation of a new residential lot. The retained lands containing the existing dwelling shall have a total area of approximately 572.3 sq m with a frontage of 14 m while the conveyed parcel shall be 479.1 sq m with an 11.7 m frontage. Section 3.1.2.2 (a) of the Zoning By-law requiring lots in the R4 zones to provide a minimum frontage of 15 m. As a result of the severance, relief from this section of the zoning by-law is required to permit the deficient frontages on both proposed lots,

This application was evaluated by Development Planning Staff, using the following four (4) tests set out in Section 45(1) of the Planning Act, and selected factors under Section 51(24) of the Planning Act:

1. Is the proposal desirable for the appropriate development and use of the lands?
The Applicant has submitted a concept plan that demonstrates a single detached dwelling up to 9.3 metres in width with an integrated single detached garage could be accommodated on the severed lot. These building dimensions are not unusual for smaller single detached dwelling. Although the existing heritage single detached dwelling on the proposed retained lot could be maintained in compliance with zoning by-law, which is considered desirable, there is an exception related to parking. The proposed severance removes the legal driveway and parking area for this building and the legal parking space is not permitted within the front yard. A new legal parking space would be required on
Staff are satisfied that the proposed lots can accommodate appropriate use and development.

There were no concerns raised by residents.

2. **Does the proposal maintain the general intent and purpose of the Official Plan?**

On Map 2 of the City’s Official Plan, the subject property is designated ‘Low/Medium Density Residential’, which contemplates single detached dwellings as is proposed on the lot to be severed. Policy 2.8.2.6 of the Plan encourages gentle intensification and maintaining a supply of housing to meet varying needs of residents by:

   b) providing opportunities for the development of smaller lot single and semidetached dwellings, plexes, townhouses and apartments;

Staff are satisfied the applications meet the general intent of the Official Plan.

3. **Does the proposal maintain the general intent and purpose of the City’s Zoning By-Law?**

Staff collected the lot frontage data for all properties within a 60m buffer radius of the subject property, reflecting the Planning Act notice requirement for consent applications, to evaluate with the request in the context of the immediate neighbourhood. Refer to Appendix ‘A’ for this data. The image below shows the extent of the properties captured in this radius.

*Figure 1 60 m buffer used for review*

Excluding the mult-unit development at the northeastern corner of the study area on Hexam Avenue, which is zoned RM3, the average lot frontage in this radius for lots also zoned R4 is 17.5 metres.
While acknowledging that the proposed lots are smaller than typical for the immediate surroundings staff note that there are a variety of lot dimensions and built form surrounding the subject property. In reviewing the Section 50 (24) factors of the Planning Act staff see no reason to believe that the dimensions of the proposed lots or their general suitability for residential development would pose any issue for the proper and orderly development of the municipality.

Looking to the tests of a minor variance staff are satisfied that residential development is plainly within the purpose and intent of the Official Plan, and that Staff anticipate no negative impact from the proposed severance or variances, but have distinct concerns as to the intent of the R4 zone, both in terms of specific textual provisions and consistency with the immediate area.

With regard to the intent of the zoning by-law staff consider the primary purpose of the frontage provision being the establishment of a consistent lot fabric and the protection of appropriate building separation. Staff take particular note that only a 12.9 m frontage would be available on the subject property if evenly divided, and that such a configuration would require the demolition of the existing house. While staff are keenly aware of the desirability of maintaining the existing dwelling and ultimately support the proposed project there is no question that the proposed lot pattern is closer to that seen in an R5 than R4 zone. In fact, were an equal division of the lot proposed there would be no deficiency whatsoever from the R5 zone specifications.

Taking both the similarity of the proposed lots to those specified by the R5 zone and the lack of nearby lots of less than 15 m frontage, even with R5 zoning which would permit such, staff are unable to find that the variances for lot frontage on either proposed parcel, or indeed a 12.9 m frontage possible through equal division, is either minor in nature nor within the intent of the R4 designation.

Staff find the proposal for the site to be broadly desirable and appropriate to it’s context, particularly in the attempt to preserve the character of a historic dwelling while appropriately utilizing a side yard sufficient for development. Nonetheless, the specifications provided by the zoning by-law do not permit the proposal to meet the tests for minor nature or intent of by-law in terms of lot area, or especially frontage. Staff highly encourage the proposal to be brought forward as a zoning by-law amendment seeking the application of modified R5 development specifications to the site.

The draft of the new Comprehensive Zoning By-law proposes to rezone the lands in this area from R5 to a new R2 zone. The draft regulations for single detached dwellings in this new R2 zone maintains the same lot frontage requirement of 15 metres, though it will also permit semi-detached homes with as little as an 11 m frontage. A recommendation to approve the new Comprehensive Zoning By-law in expected to be brought forward to Council in April of 2024.

4. Is the proposal minor in nature?
City of Cambridge Planning Staff therefore recommend refusal of the minor variance applications and deferral of consent application B44/23 for no more than two years until such time as a zoning by-law amendment application addressing lot frontage and total lot area is approved.

Should the Committee see fit to approve the consent application, City of Cambridge Planning Staff would recommend the following conditions:

1. That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area (or window area for single family dwellings) of the existing dwelling unit that are permitted to face the new property line;

2. That a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot;

3. That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales;

4. That a scoped Heritage Impact Assessment (HIA) be submitted. The HIA should follow the City’s HIA Terms of Reference which have been scoped specifically for this proposal.

5. That prior to final approval, the owner/applicant pay cash-in-lieu of parkland at 5% of the value of the severed land. The applicant shall provide an opinion of value from a qualified appraiser, to the satisfaction of Realty Services, in determining the value of the severed land.

6. That a draft reference plan showing the severed and retained lands be prepared by a qualified surveyor and submitted to the City for approval prior to being deposited at the Land Registry Office. The reference plan shall be deposited at a Land Registry Office and a copy shall be provided to the City.

7. That the above conditions must be fulfilled and the document for conveyance be presented with the required fee for signing on or before September 20th, 2025, after which time this consent will lapse.

Staff would further recommend one (1) condition on minor variance application A82/23:
1. That the minor variance applies to the conveyed lands described in provisional consent B39/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance all also lapse.

Staff would further recommend one (1) condition on minor variance application A83/23:

1. That the minor variance applies to the retained lands described in provisional consent B39/23. Should this consent lapse prior to final approval and issuance of a Certificate of Official the minor variance all also lapse.

Staff note that this lapsing condition is intended to be a standard recommendation on future consents requiring minor variances to ensure that any provisional consents which lapse to not leave minor variances speaking to the consent open and approved.

Regional Municipality of Waterloo:
The applicant is proposing to sever a lot to permit a new residential use on the severed parcel. The severed parcel is proposed to have a frontage of 11.7m on Laurel Street with a lot area of 479.1 square metres. The retained lands will have a lot frontage of 14.0 m on Laurel Avenue and an area of approximately 572.3 square metres.

Regional Cultural Heritage:
An Archaeological Assessment is not required, however Regional staff advise that if archaeological resources are discovered during future development or site alteration of the subject lands, the applicant will need to immediately cease alteration/development and contact the Ministry of Citizenship and Multiculturalism. If it is determined that additional investigation and reporting of the archaeological resources is needed, a licensed archaeologist will be required to conduct this field work in compliance with S. 48(a) of the Ontario Heritage Act.

Regional Fee:
The Region acknowledges receipt of the Consent Application Review fee of $350.00.

Regional staff has no objection to the application.

General Comments
Any future development on the lands subject to the above-noted consent application(s) will be subject to the provisions of Regional Development Charge By-law 19-037 or any successor thereof. Prior to final approval, City staff must be in receipt of the above-noted Regional condition clearances. Please accept this
letter as a request for a copy of the staff reports, decisions and minutes pertaining to each of the consent applications noted above. Should you require Regional Staff to be in attendance at the meeting or have any questions, please do not hesitate to contact the undersigned.

Grand River Conservation Authority
No comment.

GrandBridge Energy:

City of Cambridge Building Section:
That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area (or window area for single family dwellings) of the existing dwelling unit that are permitted to face the new property line.

City of Cambridge Transportation Engineering Section:
That the applicant submits a spatial separation report to the satisfaction of the Building Division to verify that the requirements of the Ontario Building Code are met for the amount of unprotected opening area (or window area for single family dwellings) of the existing dwelling unit that are permitted to face the new property line.
City of Cambridge Development Engineering Section:

- In 141 Laurel Street, the following services are available to the subject properties:
  - 200mm diameter sanitary sewer, and 150mm diameter watermain.
- Separate municipal services (water and sanitary) will be required for each proposed lot (completed by City forces at 100% Owner/Builder’s cost).
- Verification of the location of municipal services is required. If reusing services, a servicing easement will be required if any severed property’s servicing crosses the other severed property. City records indicate that there is one existing 100mm diameter sanitary service and one existing 19mm diameter water service.
- Redundant water services will need to be capped at the main (completed by City forces at 100% Owner/Builders cost).
- Consideration for drainage will be required to ensure no impacts on adjacent properties. A drainage easement may be required if the revised properties drain across each other.
- All applicable work within the road allowance for the retained and severed lot, including but not limited to site services, curb cuts, driveway ramps and sidewalks, will be completed by the City’s Public Works Department at 100% Owner’s expense.
- Cost estimates for work within road allowance are prepared by City Staff upon receipt of the estimate fee of $250.00 (HST included).

Conditions

- That a servicing plan be prepared, to the satisfaction of City of Cambridge Development Engineering, detailing the location of the existing and proposed services for each lot.
- That a grading plan be prepared, to the satisfaction of City of Cambridge Development Engineering, for the overall development, including proposed locations of roof leaders, rear yard catch basins (if required) and swales.

City of Cambridge Forestry
If any trees are to be impacted, a Tree Management Plan or Tree Removal Permit is required pursuant to Private Tree By-Law 124-18 and City Tree By-Law 71-06, prior to any disturbance on site.
City of Cambridge Fire Department:
No Comment.

City of Cambridge Environmental Planner:
No comment.

City of Cambridge Heritage Planner
Proposal
The applicant is proposing to sever the property located at 141 Laurel Street in order to create an additional residential lot on the existing parcel of land. A Minor Variance application is also required to facilitate this proposal.

Comments
Built Heritage and Cultural Heritage Landscapes - The subject property is listed as a non-designated property of cultural heritage value or interest on the City’s Heritage Register. The existing buff brick dwelling at 141 Laurel Street was constructed in the late 19th century in the Gothic Revival architectural style. Section 4.10 of the City’s Official Plan outlines that “a Cultural Heritage Impact Assessment shall be required for a development proposal or Community Plan that includes or is adjacent to a designated property or cultural heritage landscape, or that includes a non-designated resource of cultural heritage value or interest listed on the Municipal Heritage Register. The potential impacts could be direct, such as demolishing or altering a structure on a designated property, or indirect such as changes to the streetscape of lands adjacent to a cultural heritage resource.” (OP, 2018 Consolidation)

As such, staff require that a scoped Heritage Impact Assessment (HIA) be submitted before any subsequent development applications or any changes to the existing property. The HIA should follow the City’s HIA Terms of Reference which have been scoped specifically for this proposal (attached). A complete HIA will be reviewed by staff and the MHAC at the time of submission.
Figure 2 The subject property was features in the Landmarks of Cambridge series by the former Cambridge LACAC (City of Cambridge Archives).
Archeology

A review of archaeological potential has identified that the property meets several of the Ministry of Citizenship and Multiculturalism’s criteria for determining archaeological potential:

1) Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody (Speed River);
2) In areas of pioneer Euro-Canadian settlement;
3) Along historic transportation routes (Laurel Street); and,
4) Property protected under the Ontario Heritage Act (listed).

These criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the Planning Act and Section 2.6.2 of the Provincial Policy Statement apply. As such, staff require that an Archaeological Assessment (Stage 1-2) be submitted to the City of Cambridge Heritage Planning staff, Region of Waterloo, and the Ministry of Citizenship and Multiculturalism. The Stage 1-2 report is required to be submitted with any applications under the Planning Act or prior to any disturbance of the site.
Application No.: B44/23
Date of Meeting: September 20, 2023
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Aerial & Zoning

Subject Property: R4 Zoning

Retained parcel
Conveyed parcel
Site Visit
# APPENDIX ‘A’ – LOT FRONTAGE DATA WITHIN 60 METRES

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<th>Area</th>
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